

## **REMARKS**

### **I. Status of the Claims**

Claims 17-42 and 50-63 are pending, among which claims 58-60 are withdrawn from consideration as being drawn to non-elected invention. In the Office Action mailed October 6, 2010, claims 17-34, 37-40, 50-55, and 61-63 are indicated as allowed. On the other hand, claims 35, 36, 41, 42, 56, and 57 remain rejected.

Upon entry of the present amendment, claims 35, 36, 41, 42, 56, and 57 are amended to refer to SEQ ID NO:22 or SEQ ID NO:23 only. Claims 58 is amended to recite "the antibody of claim 17" in place of specific description of the antibody. Claim 60 is amended to correct a typographic error. No new matter is introduced.

Because independent claim 17 is allowed and withdrawn claims are method claims using an antibody of claim 17, *i.e.*, reciting all limitations of claim 17, Applicants believe that claims 58-60 are now entitled to a rejoinder with claims 17-34, 37-40, 50-55, and 61-63 for allowance.

### **II. Claim Rejection**

In the Office Action mailed October 6, 2010, claims 35, 36, 41, 42, 56, and 57 are again rejected under 35 U.S.C. §112, second paragraph, for alleged indefiniteness for the same reasons stated in previous Office Actions. More specifically, the Examiner takes the position that features of the PE variants recited in these claims are unclear. Applicants respectfully disagree with the Examiner, because a person of ordinary skill in the art would in fact understand precisely the nature and characteristics of these PE variants without any ambiguity. The fact that detailed description of these PE variants was readily available and well known to those of skill in the art at the time of this invention has been proven beyond any question by the evidence submitted with Applicants' last response filed on August 26, 2010.

For the sole purpose of securing a quick allowance of this instant application, however, Applicants have amended claims 35, 36, 41, 42, 56, and 57 to recite SEQ ID NO:22 or

Appl. No. 10/580,635  
Amdt. dated February 3, 2011  
Reply to Office Action of October 6, 2010

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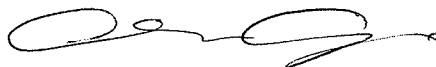
SEQ ID NO:23 only. In the meantime, Applicants expressly preserve their rights to pursue claims covering other PE variants in another patent application.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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